APPENDIX B

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   ORACLE AMERICA, INC.

21   UNITED STATES DISTRICT COURT

22   NORTHERN DISTRICT OF CALIFORNIA

23   SAN FRANCISCO DIVISION

24 ORACLE AMERICA, INC. | Case No. CV 10-03561 WHA

25   Plaintiff, | **ORACLE'S WITNESS LIST FOR**
                                       | **CASE-IN-CHIEF WITNESSES**
      v.
                                       | Dept.: Courtroom 8, 19th Floor
26 GOOGLE INC. | Judge: Honorable William H. Alsup

27   Defendant.

28

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1   Plaintiff Oracle America, Inc. ("Oracle") hereby submits its witness list for all phases of

2   the trial pursuant to Paragraph 2(a)(vi) of the Court's Guidelines for Trial and Final Pretrial

3   Conference in Civil Jury Cases. These disclosures are made based on information that is

4   reasonably available to Oracle at this time and at this state of the proceedings. Further

5   investigation and analysis may yield additional information. As additional information becomes

6   available, Oracle reserves the right to supplement, revise, correct, clarify or otherwise amend

7   these disclosures.

8   Oracle identifies the name, manner and substance of the testimony of each witness it

9   expects to present or may present at trial, other than solely for impeachment. Contact information

10   has already been provided. Pursuant to the Court's Guidelines, non-cumulative testimony is

11   identified below in italics.

12   **I.   LIVE WITNESSES**

13   Oracle expects to present testimony from the following witnesses subject to Oracle's right

14   to modify this list based on developments in the case and further Court rulings:

Witness	Manner of Presentation	Substance of Trial Testimony
Bloch, Joshua	Live and/or via deposition or transcript.	*Mr. Bloch was a Google engineer who was involved in the development of Android. He was formerly an engineer at Sun Microsystems. Mr. Bloch will testify regarding APIs and API design, including testimony that API design is a creative, rewarding exercise; Google's awareness of Sun's Java intellectual property rights at the time when Google chose to use the Java APIs at issue;* the development of Android and Google's copying of the Java APIs into Android; Google's potential alternatives to using the Java APIs at issue at the time of the development of Android, including testimony that OpenJDK was not a viable alternative for Android at the time; and Google's discussions with Sun and Oracle concerning Java. *Mr. Bloch may also testify as to the authenticity of documents.*
Brenner, Alan	Live	*Mr. Brenner is the former Senior Vice President of the Client Systems Group at Sun Microsystems ("Sun"). Mr. Brenner will testify about the history of Java including the investment Sun made in Java and its importance; the composition, structure and function of the Java platform including the Java language and Java APIs; Java ME and Java SE,*

Witness	Manner of Presentation	Substance of Trial Testimony
		their evolution, their relationship, and their use on handheld and small devices and the evolution of those devices; the ability to use the Java language without some or all of the 37 Java API packages and that some or all of the 37 Java API packages are not part of or necessary for the Java language; the markets for Java-based products, including markets for mobile phones; *Sun's relationships with and the requirements of carriers and manufacturers; Java developers and the use of Java in application development*; the impact of Android on the actual and potential markets for Java; the harm caused to the market for Java by Android; Sun's licensing of the Java platform; and *whether a commercial user would be interested in open source Java given the contractual requirements associated with using the required license.*
Catz, Safra	Live	*Ms. Catz is Chief Executive Officer of Oracle*. Ms. Catz will testify regarding Oracle's business, Java, and the importance of Java to Oracle's business; Oracle's acquisition of and reasons for acquiring Sun; Oracle's use and licensing of Java prior to its acquisition of Sun; *the effort and resources that Oracle has invested in developing Java*; Oracle's Java licensing business and Oracle's business plans related to Java; *the pre-lawsuit Java-related discussions between Oracle and Google*; and the harm caused to Java by Android.
Civjan, Neal	Live	*Mr. Civjan is the former General Manager and Global Vice President of Sales for Oracle. He previously served as the Vice President of Worldwide Sales for Sun. Mr. Civjan will testify regarding Java licensing and sales, including sales of Java-based products, such as mobile devices, including phones and e-readers; Sun's and Oracle's financial projections and future plans for Java licensing and sales; Sun's relationships with and the requirements of carriers and manufacturers; the role of Java developers in the licensing and sales of Java;* the impact of Android on the actual and potential licensing and sales of Java; and the harm caused to the licensing and sales of Java by Android.
Ellison, Larry	Live	*Mr. Ellison is Oracle's founder, Executive Chairman and Chief Technical Officer*. Mr. Ellison will testify regarding Oracle's reasons for acquiring Sun; the importance of Java to Oracle's business; Oracle's use and licensing of Java prior to its acquisition of Sun; the effort and resources that

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Witness	Manner of Presentation	Substance of Trial Testimony
		Oracle has invested in developing Java; Oracle's Java licensing business; *the pre-lawsuit Java-related discussions between Oracle and Google;* and the harm caused to Java by Android.
Gold, Jon	Live and/or via deposition or transcript	*Mr. Gold is a Finance Director at Google, formerly a Senior Finance Manager at Android.* He will testify about Google's revenues, profits, and business plans.
Google Document Custodian	Live if needed	*Custodian will identify and authenticate Google business records including financial reports, earnings summaries and sales presentations.*
Hofert, David	Live	*Mr. Hofert is Senior Director, Java Business Development for IoT.* Mr. Hofert will testify regarding Java product and business development and plans; Java sales, including licensing; and the harm to Java caused by Android, including loss of customers from Java to Android.
Jaffe, Adam	Live	*Professor Jaffe is a Director and Senior Fellow at Motu Economics and Public Policy Research Facility. Prof. Jaffe will provide expert testimony regarding the matters disclosed in his expert reports including the economic indicators of fair use and explain why such indicators establish that Google's copying of the Java API packages in Android is highly commercial, non-transformative and caused Oracle significant actual and potential market harm.*
Kemerer, Chris	Live	*Dr. Kemerer is jointly-appointed at the Katz Graduate School of Business and the School of Information Sciences at the University of Pittsburgh, and serves as a professor of Software Engineering at Carnegie Mellon University.* Dr. Kemerer will provide e*xpert testimony regarding the matters disclosed in his expert reports including the origin, evolution, and adoption of the 37 Java APIs, the stability of the Java APIs, and their centrality to the Java platform. Dr. Kemerer will also opine on the relation of the 37 Java APIs to the development and success of the Google Android platform, their centrality to the Android platform, and the stability of the Android APIs. Dr. Kemerer will also address certain opinions rendered by Google's experts Astrachan, Catell, Hall, and Leonard.*
Lindholm, Timothy	Live and/or via deposition or transcript.	*Mr. Lindholm is a Google engineer who was formerly employed by Sun.* Mr. Lindholm will testify regarding *Google's awareness of Sun's Java intellectual property rights; the need for Google to*

Witness	Manner of Presentation	Substance of Trial Testimony
		obtain a license to use Java in Android; Google's consideration of alternatives to Java for Android; the development history and design of Java; the importance of Java compatibility to Sun and its efforts to prevent fragmentation; Google's discussions with Android; and Google's discussions with Sun and Oracle. Mr. Lindholm may also testify as to the authenticity of documents.
Malackowski, James	Live	*Mr. Malackowski is the Chairman and Chief Executive Officer of Ocean Tomo, LLC.* Mr. Malackowski will testify regarding t*he matters disclosed in his e*x*pert reports including the calculation of damages to which Oracle is entitled pursuant to the Copyright Act.*
Murray, Gwyn Firth	Live	*Ms. Murray is an attorney and founder of Matau Legal Group.* Ms. Murray will testify regarding the matters *disclosed in her expert reports including an overview of open source software and licensing and the implications of Google's recent announcement concerning open-source JDK-based code for Android. Ms. Murray will also respond to certain opinions proffered by Google experts Hall and Astrachan regarding open source licensing.*
Oracle Document Custodian	Live if needed	*Custodian will identify and authenticate Oracle business and official records.*
Oracle Production Custodian	Live if needed	*Custodian will describe and authenticate the production of Oracle documents including attachments to email correspondence.*
Page, Larry	Live and/or via deposition or transcript.	*Mr. Page is Google's co-founder and was CEO until August 2015, when he became CEO of Alphabet, Google's parent company.* Mr. Page is expected to testify regarding *Google's business strategies including intellectual property protection strategies* and the importance of intellectual property protection to Google's business. Mr. Page is expected to testify regarding the importance of Android to various Google business units including Google's advertising business. Mr. Page is expected to testify regarding *Google's motivations for acquiring Android*, Google's business plan and marketing strategy for Android, Google's revenues and profit projections for Android, licensing of Android and attempts to prevent fragmentation of Android, development of Android at Google, and the time pressures involved with the development and release of Android. Mr. Page may also testify regarding Google's development and use of APIs in connection with various business lines. Mr. Page

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		may also testify regarding facts related to Google's willful copyright infringement, including his understanding of Google's Java-related discussions with Sun and Oracle, Google's awareness of Sun's intellectual property rights in Java and the need for Google to obtain a license to use Java in Android, the benefits associated with Java, and the reason Google chose to use Oracle's APIs. *Mr. Page may also testify as to the authenticity of documents.*
Poore, Noel	Live	*Mr. Poore is an Oracle engineer and former member of the executive team at SavaJe Technologies*, Mr. Poore will testify regarding *Sun's efforts and ability to develop a smartphone software stack,* including Sun's acquisition of SavaJe; the history of the SavaJe technology, including its use of SE and ME, and its business; *Rich Miner's involvement in SavaJe Technologies; the impact of Android on Sun's and Oracle's efforts to develop smartphone software stack* and the harm caused to Java by Android.
Reinhold, Mark	Live	*Dr. Reinhold is Chief Architect of the Java Platform Group at Oracle and held this position at Sun prior to Oracle's acquisition of Sun.* Dr. Reinhold will testify regarding the subjects set forth in his declarations including the history of the Java platform, including *Java SE and ME and the relationship between ME and SE, the composition, structure, and function of components of the Java platform, including the Java language, the Java APIs, and the Java virtual machine; the technical capabilities of the Java platform, including the types of devices on which the Java platform, including Java SE and ME, can run; the structure, design, and functional aspects of the Java APIs, including the relationship between implementing code and declaring code in the Java platform*; *the creative process involved in designing APIs and the creative choices made during that process*; what an API is generally and how it works; the *packages, classes, methods and interfaces and their roles within an API and the Java APIs* specifically; the structure, sequence, and organization (the "SSO") of the Java API packages and the significance and importance of the SSO; the SSO and declaring code copied by Google and that what was copied was an important part of Java; the code that Google copied does the same thing in Android as it does in Java; compatibility across Java editions; the meaning and importance of Java's "write once, run anywhere" principle; Android's incompatibility with Java; the Java

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Witness	Manner of Presentation	Substance of Trial Testimony
		language and how it can be used without some or all of the 37 Java API packages and that some or all of the 37 Java API packages are not part of and not necessary to use the Java language; the *advantages of Java as compared to other programming environments or platforms;* the stability of the Java platform, *the length of time needed to establish stability in a software platform such as Java, and the reasons why Java was so popular and attractive to developers*; the value and quality of the 37 Java API packages and Oracle's investment in Java and its importance; *TCK testing, what it is, what is required to satisfy the TCK test and that Android cannot and has not passed the TCK; the Java Specification Request ("JSR") process and the Java Community Process ("JCP") for development of Java-related specifications*; copyright applications and registrations for Java and the notices contained in the source code for the Java platform.
Ringhofer, Mike	Live	*Mr. Ringhofer is Vice-President of the Worldwide Java Business.* Mr. Ringhofer will testify regarding Java sales, Java licensing and licensing enforcement; Sun's and Oracle's projections and future plans for Java licensing and sales; the markets for Java-based products, including the market for mobile devices, including phones and e-readers, and *other markets, such as markets for the Internet of Things, TVs, wearables, and cars, as examples; competition in the marketplace for Java; the impact of Android on actual or potential markets for Java,* the harm caused to the market for Java by Android; the licensing of Java SE and ME to customers in the feature phone and smart phone markets; Android's incompatibility with Java and fragmentation and division within the community of Java developers.
Rubin, Andy	Live and/or via deposition or transcript.	*Mr. Rubin is a founder of Android Inc. and was the head of Google's Android division. He left Google in 2014.* Mr. Rubin is expected to testify about the development of Android, including the *time pressures associated with the development and release of Android; the goals of the Android acquisition and inclusion of the Java APIs in Android; Danger's use of Java; the Java license obtained by Danger Inc.*; discussions between Android Inc. and Sun regarding a Java license; Google's awareness of Sun's intellectual property rights in Java and the need for Google to obtain a license to use Java in Android; Google's Java-related discussions with Sun and Oracle; the

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Witness	Manner of Presentation	Substance of Trial Testimony
		benefits associated with Java and *Google's lack of alternatives* to using the Java APIs at issue, including that certain open source licenses were not acceptable alternatives for Android; Google's business plan and marketing strategy for Android; benefits to Google from Android; Google's revenue and profit projections for Android, including advertising revenues; Google's financial arrangements and other agreements, including revenue share arrangements, with Original Equipment Manufacturers and carriers in various markets relating to Android and other Google products and services; Google's licensing of Android and efforts to prevent Android fragmentation; facts relating to Google's copyright infringement; the benefits associated with Java; and the financial aspects of Android, *including how Android drives revenue for Google. Mr. Rubin may also testify as to the authenticity of documents*.
Saab, Georges	Live	*Mr. Saab is Oracle's Vice President of Software Development for the Java platform group.* Mr. Saab is expected to provide testimony regarding the development of Java, including the composition, structure and function of components of the Java platform, the Java language, the Java APIs, and *the virtual machine; the relationship between Java SE and Java ME including overlap in declaring code; Oracle's investment in Java and its importance; that API design is a creative process and that well-designed APIs are desirable; past and present markets for Java*; potential Java markets; the reasons supporting the success of Java; the markets for Java-based products, including the market for mobile devices, including phones and e-readers, and new markets such as the Internet of Things, TVs, wearables, and cars, as examples; the competition in the marketplace for Java; the impact of Android on the actual or potential markets for Java; the harm caused to the markets for Java by Android usurping *opportunities for licensing Java ME and SE in a wide variety of devices*; the incompatibility of Android with Java and *the creation of fragmentation and division within the community of Java developers; how the rise of Android has undermined Java's "write once, run anywhere" principle;* and other facts relating to the harm suffered by Oracle as a result of Google's copyright infringement.
Schmidt, Doug	Live	*Dr. Schmidt is a full Professor at Vanderbilt University in the Department of Electrical Engineering and Computer Science, while also*

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		serving as the Associate Chair of the Computer Science and Engineering Program. Dr. Schmidt will testify regarding *all opinions set forth in his expert reports including the history and attributes of the Java platform and development of the API packages at issue, the incompatibility of Google's Android platform with the Java platform and the importance of the Java APIs to the Android platform, specifically including whether Android will operate without the Java APIs; the nature of Oracle's copyrighted works and Google's copying thereof including the creativity of the Java APIs; whether Google's use of Oracle's copyrighted works is transformative; and the SSO of the Java APIs.* Dr. Schmidt will also respond to the opinions offered by Google's experts Astrachan, Leonard and Cattell including regarding fair use and authorship of Android source code.
Schmidt, Eric	Live and/or via deposition or transcript.	*Mr. Schmidt is Google's Chairman and former CEO. He was previously Chief Technology Officer at Sun Microsystems.* Mr. Schmidt will testify regarding Google's Java-related discussions with Sun and Oracle; Google's awareness of Sun's intellectual property rights in Java and the need for Google to obtain a license to use Java in Android; *his knowledge of Java technology and Sun's Java licensing practices from his tenure at Sun;* the benefits associated with Java; Google's lack of alternatives; Google's business plan and marketing strategy for Android; benefits to Google from Android, including how Android drives revenue for Google and whether Android is a commercial endeavor; Google's revenue and profit projections for Android, including advertising revenues; Google's licensing and its efforts to prevent Android fragmentation; and facts relating to Google's willful copyright infringement. *He may also testify as to the authenticity of documents.*
Smith, Donald	Live	*Mr. Smith is Senior Director of Product Management for Oracle.* Mr. Smith is expected to testify regarding Java product management; Java licensing; the markets for Java-based products including the market for mobile devices, including phones and e-readers, and other markets such as markets for the Internet of Things, TVs, wearables, and cars, as examples; the impact of Android on the actual and potential markets for Java; the harm caused to markets for Java by Android; *the licensing of Java ME and SE to customers in both the feature phone and smart phone markets;* competition in the marketplace for Java;

Witness	Manner of Presentation	Substance of Trial Testimony
		opportunities for licensing Java ME and SE in a wide variety of devices; Android's incompatibility with Java; Android's creation of fragmentation and division within the community of Java developers.
Stahl, Henrik	Live	*Mr. Stahl is Vice President of Product Management for Oracle.* Mr. Stahl will testify regarding markets for Java-based products, including the market for mobile phones and other markets, such as markets for Internet of Things, TVs, wearables, and cars; competition in the marketplace for Java; the impact of Android on actual or potential markets for Java; the harm caused to the phone and other markets for Java by Android; the licensing of Java ME and SE to customers in both the feature phone and smart phone markets; how Java was pushed out of the mobile phone market; Android's incompatibility with Java; Android's creation of fragmentation and division within the community of Java developers; and Android's undermining of Java's "write once, run anywhere" principle.
Swetland, Brian	Live and/or via deposition or transcript.	*Mr. Swetland is a Senior Staff Software Engineer at Google who was involved in the development of Android and, before that, worked for a company that took a license from Sun for the development of a mobile phone.* Mr. Swetland is expected to testify regarding Google's awareness of Sun's intellectual property rights in Java and the need for Google to obtain a license to use Java in Android. *Mr. Swetland may also testify regarding the benefits associated with Java and Google's lack of alternatives to using the Java APIs at issue, including that certain open source licenses were not acceptable alternatives for Android. He may testify about the suitability of various open source licenses for Android. He may also testify as to the authenticity of documents.*
Toubia, Olivier	Live	*Dr. Toubia is the Glaubinger Professor of Business and the Faculty Director of the Lang Center for Entrepreneurship at Columbia Business School.* Dr. Toubia will testify regarding the *matters disclosed in his expert reports including addressing the opinions expressed by Google expert Dr. Simonson and whether the survey commissioned by Google's expert is scientifically valid.*
Zeidman, Robert	Live or via stipulation	*Mr. Zeidman is an engineer and founder and President of Zeidman Consulting. Mr. Zeidman will testify regarding the matters disclosed in his expert reports including his analyses comparing the source code for the Java platform to the source*

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Witness	Manner of Presentation	Substance of Trial Testimony
		code for various versions of the Android platform.

Oracle reserves the right to call any witness identified by Google.

In addition, Oracle may present testimony from the following witnesses:

Witness	Manner of Presentation	Trial Testimony
Agarwal, Aditya	Live and/or via deposition or transcript.	*Mr. Agarwal was a Senior Financial Analyst at Google.* He may testify regarding the benefits to Google from Android and Google's revenue and profit projections for Android, including advertising revenues.
Angioletti, Thomas	Live	*Mr. Angioletti is the former Vice President, Chief Intellectual Property Counsel for Oracle.* Mr. Angioletti may testify regarding the pre-lawsuit discussions held between Google and Oracle regarding Java and the need for a license if Google wished to use Java in Android.
Astrachan, Owen	Live and/or via deposition or transcript.	*Mr. Astrachan is an expert witness for Google on technical matters.* He may testify regarding APIs and API design, including testimony that it is *very difficult to write good APIs, and that there are not many people who can do it well. He may also testify that there are elements of creativity involved in designing APIs* and the effect that removing the Java APIs at issue from Android would have on Android functionality.
Bornstein, Daniel	Live and/or via deposition or transcript.	*Mr. Bornstein was a Google engineer who was involved in the development of Android.* Mr. Bornstein may testify regarding the development of Android; the selection of the Java APIs at issue for inclusion in Android, and *the reason for the selection of those Java APIs in particular*; Google's awareness of Sun's Java intellectual property rights and the need for Google to obtain a license to use Java in Android; Google's Java-related discussions with Sun and Oracle; *the role of Noser in the development of Android, and Google's use of Sun Java documentation to develop Android and check Noser's work;* Google's potential alternatives to using the Java APIs at issue at the time of the development of Android, including testimony that certain open source licenses were not acceptable alternatives for Android; and facts relating to Google's copyright infringement. *Mr. Bornstein may also testify as to the authenticity of documents.*

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Witness	Manner of Presentation	Trial Testimony
Brady, Patrick	Live and/or via deposition or transcript.	*Mr. Brady was Google's Director of Android Partner Engineering.* Mr. Brady may testify regarding the Android business, including testimony about h*ow Android drives revenue for Google and Google's financial arrangements, including revenue share arrangements, with Original Equipment Manufacturers and carriers.* Mr. Brady may also testify regarding Google's compatibility requirements for Android implementations, the reasons for those requirements, and the *measures Google takes to encourage compatibility in Android devices.* He may also testify about Google's motivations to enter the mobile phone market and may also testify as to *the authenticity of documents.*
Brin, Sergey	Live	*Mr. Brin is Google's co-founder and President of Alphabet, which became the parent company of Google in 2015.* Mr. Brin may testify regarding Google's Java-related discussions with Sun and Oracle; Google's awareness of Sun's intellectual property rights in Java and the need for Google to obtain a license to use Java in Android; Google's business plan and marketing strategy for Android and facts related to Google's willful copyright infringement.
Chatterjee, Dr. Rohit	Live	*Dr. Chatterjee is a management consultant with Keystone Strategy. Dr. Chatterjee will testify about the data collection and processing techniques used to support the expert analysis and opinion of Dr. Chris Kemerer and which were employed at Dr. Kemerer's direction.*
Cizek, Leo	Live	*Mr. Cizek is an Account Manager, Java Licensing at Oracle.* He may testify about Sun's and Oracle's Java business, Java sales, and Java licensing; Sun's and Oracle's projections and future plans for Java licensing and sales, *efforts to prevent fragmentation of the Java platform and eco-system, including through Java compatibility requirements*; Java-related discussions with Danger, Android, and Google; and the harm caused by Android.
Dare, Tiki	Live	*Ms. Dare is Managing Counsel at Oracle.* Ms. Dare may testify regarding Oracle's copyrighted works including the *filing and registration process. She may also testify as to the authenticity of documents.*
DeSalvo, Chris	Live	*Mr. DeSalvo is a Senior Staff Engineer for Slack and was formerly employed by Google as an*

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Witness	Manner of Presentation	Trial Testimony
		engineer. Mr. DeSalvo may testify regarding Google's need for Java; Java license negotiations between Google and Sun; facts related to Google's willful copyright infringement; and facts related to Google's bad faith in using the Java copyrighted works for Android.
Ghuloum, Anwar	Live and/or via deposition or transcript.	*Mr. Ghuloum is an engineering director at Google and testified as Google's 30(b)(6) witness on the topic of whether Google had commercially acceptable, non-infringing substitutes to using the 37 Java API packages and any reasons why Google did not use such substitutes.* He may testify about the development of Android and Google's potential alternatives to using the Java APIs at issue at the time of the development of Android, including testimony about why Google chose to use the Java APIs that are at issue in this case *as opposed to some other programming platform.* He may testify that developers at the time were familiar with Java and, in particular, with the Java APIs at issue. He may also testify regarding whether the Java classes and methods that are reproduced in Android serve the same purpose in Android that they serve in Java. *He may also testify as to the authenticity of documents*.
Gupta, Vineet	Live	*Mr. Gupta was formerly the Senior Director, Chief Technology Strategy Officer at Sun Microsystems, and subsequently an employee of Oracle.* He may testify about Sun's and Oracle's Java business and Java licensing; Sun's and Oracle's efforts to prevent fragmentation of the Java platform and eco-system, including Java compatibility requirements; *Java-related discussions with Danger, Android, and Google*; and the harm caused to Java by Android.
Hoelzle, Urs	Live and/or via deposition or transcript.	*Mr. Hoelzle was the eighth employee at Google and has served as VP of Engineering and VP of Technical Infrastructure.* Most recently Mr. Hoelzle has served as the head of Google's Cloud Platform. Mr. Hoelzle may testify about *Google's cloud and enterprise strategies*; Google's API development practices; Google's licensing of APIs; Google's open source policies and procedures; and Google's use of the Java platform in various aspects of Google's business. Mr. Hoelzle may testify about why Google chose to acquire Android Inc. He may also testify regarding Google's development of Android, the time pressures associated with

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Witness	Manner of Presentation	Trial Testimony
		Google's development of Android, and the inclusion of Java technology in Android. He may also testify regarding the relationship between the Java language and Java APIs. He may also testify regarding the commercial desirability of the certain open source licenses and aspects of those licenses that are commercially undesirable. He may also *testify as to the authenticity of documents*.
Kearl, James	Live	Dr. Kearl is an expert appointed by the Court under FRE 706 to testify regarding damages. He may testify regarding the matters disclosed in his expert reports.
Kurian, Thomas	Live	*Mr. Kurian is Oracle's President of Product Development*. Mr. Kurian may testify regarding Oracle's reasons for acquiring Sun Microsystems; the importance of Java to Oracle's business; the value of Java, that Java APIs are creative and that they attract developers; compatibility across Java editions and Android's incompatibility with Java, including what would be required, *from a technical standpoint, to make Android compatible with Java*; Java history and Oracle's use of Java, including Oracle's licensing of Java from Sun before the acquisition; the effort and resources that Oracle has invested in developing Java; Oracle's Java business and Java licensing; *the pre-lawsuit Java-related discussions between Oracle and Google*; and the harm caused by Android; TCK testing, what it is, *what is required to satisfy the TCK test, and whether Android has done or could do so; fragmentation and forking of Java,* including testimony that Android's fragmentation and forking of Java has harmed Java: the uses of Java by third parties in various products, including for example, BluRay DVD players, TVs, appliances and other electronics, as well as how Android has harmed Java in those markets and others; the licensing dispute over Apache Harmony and the *reasons why Sun and later Oracle expected that the industry would not widely adopt open source Java for commercial implementations given the contractual requirements associated with using the necessary license.*
Lee, Robert	Live and/or via deposition or transcript.	*Mr. Lee was formerly a Google engineer involved in the development of Android.* He may testify regarding Google's development of Android; Google's copying of Java APIs into Android, the value and importance of the Java APIs that

Witness	Manner of Presentation	Trial Testimony
		Google used; Google's awareness of Sun's intellectual property rights in Java and the need for Google to obtain a license to use Java in Android; Google's Java-related discussions with Sun and Oracle; Google's willful copyright infringement; and *whether the Java classes and methods that are reproduced in Android serve the same purpose in Android that they serve in Java.* He may also testify regarding API design, including testimony that API design is a creative activity. *He may also testify as to the authenticity of documents*.
Lee, Jaehyou "Jerry"	Live	*Mr. Lee is an APAC Sales Representative for Oracle.* Mr. Lee may testify regarding Java sales; the effect on Android on the actual and potential sales for Java and the harm caused to Java by Android.
Lin, Felix	Live	*Mr. Lin is currently employed by Google as its Director of Product Management.* Mr. Lin may testify regarding distribution of Android and other Google products and services, including, but not limited to, *Google Play (and earlier iterations of Google Play) and the other Google applications*; consumer expectations regarding and use of Android and other Google products and services; Google's business plan and marketing strategy for Android and other Google products and services; Android current and potential markets; Google's actions and plans relating to bringing Android and other Google products and services into markets beyond the mobile market; Google's revenues and profit projections for Android and other Google products and services; *financial aspects of Android and other Google products and services, including how Google drives revenue from them; benefits to Google from Android and other Google products and services*; Google's licensing of Android and other Google products and services; Google's compatibility requirements for Android implementations, the reasons for those requirements, and efforts to encourage compatibility and prevent fragmentation; Google's financial arrangements and other agreements relating to Android and other Google products and services, including revenue share arrangements, with Original Equipment Manufacturers and carriers in various markets; *Google's relationships with OEMs or carriers in various markets; market expectations, drivers, and competition; negotiations, agreements or*

Witness	Manner of Presentation	Trial Testimony
		contracts with OEMs or carriers pertaining to distribution, sales, use, service, marketing or development of Google products and services for non-Android operating systems;and authentication of documents.
Lockheimer, Hiroshi	Live and/or via deposition or transcript.	*Mr. Lockheimer is a Senior Vice President of Android at Google.* Mr. Lockheimer may testify regarding the Android business, including testimony about *how Android drives revenue for Google and Google's financial arrangements and other agreements, including revenue share arrangements, with Original Equipment Manufacturers and carriers in various markets for Android; Google's relationships with OEMs in various markets;* early development of Android and the decision to include the Java APIs in Android; early business strategy for Android; knowledge of other Java licenses; communications with carriers and OEMs regarding Android. Mr. Lockheimer may also testify regarding Google's compatibility requirements for Android implementations, the reasons for those requirements, and the measures Google takes to encourage compatibility and avoid fragmentation in Android devices. He may also testify about Google's original motivations to enter the mobile phone market, as well as *Google's actions and plans relating to bringing Android into markets beyond the mobile market. He may also testify as to the authenticity of documents.*
Mazzocchi, Stefano	Live	*Mr. Mazzocchi is a software engineer at Google.* Mr. Mazzocchi may testify regarding *the Apache Software Foundation; the copyrights owned by Sun and Oracle; the Apache Harmony Project*; the need for Java APIs to be licensed and documents on the trial exhibits list that are authored by or sent to him.
McFadden, Andrew	Live and/or via deposition or transcript.	*Mr. McFadden was a Google engineer who was involved in the development of Android.* Mr. McFadden may testify regarding Google's development of Android and inclusion of Java technology therein; *the purpose of the infringing components of Android;* Google's copying of Java APIs into Android; Google's awareness of Sun's Java intellectual property rights and the need for Google to obtain a Java license for Android; Google's Java-related discussions with Sun and Oracle to obtain a Java license for Android and facts related to Google's bad faith in

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		using the Java copyrighted works for Android. Mr. McFadden may also testify regarding the *commercial desirability of certain open source licenses and aspects of those licenses that are commercially undesirable and to the authenticity of documents.*
McNealy, Scott	Live	*Mr. McNealy is the former Chief Executive Officer and Board Chairman of Sun Microsystems.* He may testify regarding the history of Java, including Java SE and ME and *the relationship between SE and ME*, the composition, structure, and *function of components of the Java platform, including the Java language, the Java APIs, and the Java virtual machine*; Sun's Java business and Java licensing and the importance of the "write once, run anywhere" principle; Java-related discussions between Sun and Google; Oracle's acquisition of Sun; *the interest of Sun and its Board of Directors in preventing Java fragmentation, enforcing Java intellectual property rights, and protecting Java licensing revenue;* Sun's position regarding Google's release of Android and the harm caused by Android; the Java API structure, design, and function, including the relationship between implementing code and declaring code in the Java APIs; the nature of the Java APIs, including that *designing APIs is a creative process, the choices made during that process including what an API is generally and how it works*; the packages, classes, methods and interfaces and their roles within an API and the Java APIs specifically; the structure, sequence, and organization (the "SSO") of the Java API packages; the significance and importance of the SSO, and specifically regarding the SSO and declaring code copied by Google; what Google took and how it is an important part of Java; compatibility across Java editions; the incompatibility of Android with Java and the harm Android's incompatibility with Java has inflicted on Java; the stability of the Java platform, the *length of time needed to establish stability in a software platform such as Java, and the reasons why Java was so popular and attractive to developers*; and the harm caused to Java by Android.
Meier, Reto	Live and/or via deposition or transcript.	*Mr. Meier has served as a Developer Advocate and as a Manager for the Scalable Developer Group at Google.* He may testify regarding Google's development of Android; Google's

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		copying of Java APIs into Android, and the value and importance of the Java APIs that Google used; whether the Java classes and methods that are reproduced in Android serve the same purpose in Android that they serve in Java; and *the effect that removing the Java APIs at issue from Android would have on Android functionality and usability. He may also testify as to the authenticity of documents*.
Miner, Rich	Live and/or via deposition or transcript.	*Mr. Miner was a co-founder of Android Inc. and was formerly involved in the development of Android at Google.* He may testify regarding Google's development of Android; Google's copying of Java APIs into Android, and the *value and importance of the Java APIs that Google used*. He may also testify regarding Google's awareness of Sun's intellectual property rights and the need for Google to obtain a license to use Java in Android; Google's Java-related discussions with Sun and Oracle; involvement with SavaJe; and facts relating to Google's willful copyright infringement. He may also testify regarding *Google's motivations to enter the mobile phone market and to the authenticity of documents*.
Morrill, Daniel	Live and/or via deposition or transcript.	*Mr. Morrill is Google's Technical Program Manager for Android Compatibility.* He may testify regarding Google's development of Android; Google's copying of Java APIs into Android; the value and importance of the Java APIs that Google used; whether the Java classes and methods that are reproduced in Android serve the same purpose in Android that they serve in Java; *Google's potential alternatives to using the Java APIs at issue at the time of the development of Android, including testimony that certain open source licenses were not acceptable alternatives for Android*. He may also testify regarding Google's awareness of Sun's intellectual property rights and the need for Google to obtain a license to use Java in Android; Google's Java-related discussions with Sun and Oracle; facts relating to Google's willful copyright infringement; the importance to Google of maintaining compatibility across Android devices and whether Android is compatible with Java; Google's motivations to enter the mobile market and *Google's expectations that Android would drive revenue for Google. He may also testify as to the authenticity of documents*.

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Pfefferlen, Michael H.	Live	*Mr. Pfefferlen is Oracle's Finance Director, Worldwide Software Sales.* He may testify regarding Java sales and licensing and Java revenues.
Sarboraria, Matthew	Live	*Mr. Sarboraria is Vice President and General Counsel – Patent, Trademark and Copyrights for Oracle.* Mr. Sarboraria may testify regarding the pre-lawsuit discussions held between Google and Oracle regarding Java and the need for a license if Google wished to use Java in Android.
Screven, Edward	Live	*Mr. Screven is Oracle's Chief Corporate Architect.* He may testify regarding the Sun acquisition and the value of Java at the time of the Sun acquisition; the importance of Java to Oracle's business including Oracle's reasons for acquiring Sun; the composition, structure and function of the Java platform including the Java language, Java APIs and the Java virtual machine; the ability to use the Java language with or without the 37 Java packages; API design including the creative aspects and desirability for well-designed APIs; compatibility across Java editions and Android's incompatibility with Java; fragmentation and forking, what constitutes fragmentation and forking, Android's fragmentation and forking of Java, and that Android's fragmentation and forking of Java have harmed Java; Oracle's plans to expand in the mobile phone market and how the rise of Android negatively impacted the mobile phone market for Oracle; *Oracle's strategy for enforcement of its rights with respect to GNU Classpath* and regarding Apache Harmony; the reasons why Sun and later Oracle expected that the industry would not widely adopt open source Java for commercial implementations given the requirements associated with using the necessary license; the harm caused to Java by Android; and *Oracle's own maintenance of a Java license prior to the Sun acquisition.*
Senteno, Edward	Live	*Mr. Senteno is the Java Finance Controller for Oracle.* He may testify regarding Oracle's financial documents and revenues regarding Java.
Stillabower, Scott	Live	*Mr. Stillabower is Director, Solution Architecture for Oracle.* Mr. Stillabower may testify regarding Java sales; the effect on Android on the actual and potential sales for Java and the harm caused to Java by Android.

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Sutphin, Brian	Live	*Mr. Sutphin was a Senior Vice President at Oracle. He was formerly employed by Sun Microsystems.* He may testify regarding Sun's and Oracle's Java business and Java licensing; Oracle's acquisition of Sun; the *interest of Sun and its Board of Directors in preventing Java fragmentation, enforcing Java intellectual property rights, and protecting Java licensing revenue;* Sun's position regarding Google's release of Android; *Sun management's awareness of Google's copyright infringement at the time Android was released and thereafter* and the harm caused by Android.
Wayne, Mark	Live	*Mr. Wayne serves as Managing Counsel for Oracle.* He may present testimony regarding Java licensing; the market for Java from a licensing perspective; the *various licenses available for Java, including a description of those licenses and an explanation of the terms and restrictions that apply to each type of license;* how Oracle customers use *different types of Java licenses in connection with their businesses and how Oracle addresses out-of-compliance licensees.*
Zavery, Amit	Live	*Mr. Zavery is Vice President, Product Management, Oracle Fusion Middleware.* He may testify regarding the importance of Java to Oracle's business and the harm caused to Java by Android.

II.   DEPOSITION TESTIMONY AND TRIAL TESTIMONY

Oracle also reserves the right to present the deposition testimony of any witnesses listed above who are unavailable to testify at trial. Oracle reserves the right to designate the prior deposition or trial testimony of any Google witness for the purpose of authenticating documents or other evidence. Oracle further reserves the right to designate testimony from any witness identified by Google.

Dated: April 21, 2016

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: */s/ Christina Von der Ahe Rayburn*

Christina Von der Ahe Rayburn
Attorneys for Plaintiff
ORACLE AMERICA, INC.